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ABSTRACT

Guidelines for establishing community colleges in Arkansas are provided. The sections of the manual are as follows: What Is a Community College? What Are Its Advantages for the Student? Community Colleges and Other Institutions of Higher Education; The Finance and Control of a Community College; Steps in the Establishment of a Community College in Arkansas; Role of the Local Steering Committee; Criteria for the Establishment of a Community College District; Selection of Community College Districts Which May Hold Elections; Application for a New Community College; Required Minimum Qualifications for the President of a Community College; Criteria for Comprehensiveness for Community Colleges; Act 103 of 1973 (As Amended by Act 263 of 1973); and Arkansas Constitutional Amendment No. 52. (DB)

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PROCEDURE FOR THE ESTABLISHMENT OF COMMUNITY COLLEGES IN ARKANSAS

Prepared by the

Department of Higher Education
Division of Community Colleges
Little Rock, Arkansas

November, 1973

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WHAT IS A COMMUNITY COLLEGE?

A community college is a comprehensive educational institution designed to serve all educational needs of the citizens beyond high school age in the college's service area. Since it is oriented to serving its area, a community college will develop its offerings to fit the specific educational needs of the local people and the specific job needs of local business and industry. A community college is characterized by:

1. Occupational programs of varying lengths, degrees of difficulty, and employment outlets in an attempt to have an occupational program that fits the needs of any person beyond the age of high school

2. Academic programs that are transferable as the first two years of a four-year degree

3. Adult and community service offerings that provide short-term instruction needed in any vocational, avocational or general education subject

4. Guidance and counseling and other student services to assist any citizen in selecting and succeeding in an educational program that meets his individual needs, interests and abilities

5. Many types of students attend since the community college will serve all post-high school educational needs of its service area: recent high school graduates who desire four-year college degrees, recent high school graduates who desire occupational programs, adults who need additional training to improve their employment opportunities, adults who did not complete high school, and adults with wide varieties of educational backgrounds who wish to pursue non-credit short courses for general education or avocational purposes

6. All students are local commuting students and dormitories and football teams are prohibited by law.

WHAT ARE ITS ADVANTAGES FOR THE STUDENT?

1. College Education at a Low Cost

As an institution supported by state and local funds, community college tuition is kept as low as possible so that all citizens may attend. Costs to the students are further reduced since the college is basically a commuting institution and the student can live at home, thereby avoiding all of the additional costs involved in living away from home.

2. A Wide Variety of Educational Opportunities

Limited only by available financing and the need for a given educational program, the community college will attempt to offer programs to fit the needs of all

citizens. This means the college will provide academic programs for transfer, occupational programs that vary in degree of difficulty, length of time for completion, content, and employment opportunity. The college will endeavor to have such a wide variety of programs that any individual can find some program that fits his personal interests and abilities.

3. Assistance in Making Career Choices

The community college recognizes that most young people and many adults need and want assistance in choosing careers and educational programs. Experience has shown a very high dropout rate and a high degree of indecision among young adults and especially students in traditional college programs. The community college offers a professional guidance and counseling program to assist these students in determining their own goals and selecting programs at which each can succeed.

4. Flexibility

Due to the wide variety of programs offered by the community college and the availability of professional counseling services, the community college offers an ideal opportunity for an individual to find an educational program that "fits" him. Many students enter the college with a predetermined goal which may or may not be appropriate. Such a student can attempt his desired program, and, if it does not "fit", adjust his educational program and goal within that same institution. The advantages of this flexibility are obvious when compared to single purpose institutions like trade schools or senior colleges. For example, a student not succeeding in a traditional senior college must face the prospects of loss of prestige, changing institutions, total change of goals, etc., to change from an accounting program to a one or two-year business program, or a student at a state vocational-technical school must face such problems as total loss of credit, changing institutions, lack of assistance and encouragement, etc., to change from a one or two-year general business program to an accounting degree at a senior college.

Many say that these difficulties are unavoidable or that students should make up their minds what they want to do before they begin. However, in real life both of these responses are unacceptable. Statistics generally show that very few students complete the specific educational program that they began immediately after high school graduation. Many students insist on attempting unrealistic programs before adjusting their program choices. Many students would benefit from the ability to complete a short program that gives them income-producing ability and that can be integrated into higher levels of education. By its very nature the community college offers an answer to these problems and needs.

5. Ease of Transition

The community college, as an institution close to the student's home and usually smaller in size, offers the recent high school graduate a much easier transition to college than enrollment in a distant and larger institution. Likewise, the community college offers the adult who has been out of school for some time, and who may be employed full or part time, an easier return to the classroom.

6. Quality Instruction

The community college is an instruction-oriented institution. Its only function is instruction in the programs it offers. Faculty members are selected for their ability to teach freshman, sophomore, occupational and special purpose programs.

COMMUNITY COLLEGES AND OTHER INSTITUTIONS OF HIGHER EDUCATION

How will new community colleges affect existing institutions of higher education in Arkansas? The purpose of community colleges is to extend educational opportunities to people not now served. The experience in other states and in Arkansas has been that community colleges do not have a significant effect on the enrollments in public senior colleges or private colleges. Detailed studies conducted by the Department of Higher Education indicate that a community college serves people not served otherwise. After a new community college becomes established, students who would not attend college otherwise transfer to senior colleges as sophomores or juniors. Copies of these studies are available on request.

How much duplication is involved between community colleges, senior colleges, and vocational schools? Every effort is being made to avoid duplication. Community colleges, which serve only commuting students, will be located near other colleges only in heavily populated areas. Nearby community colleges and vocational schools will cooperate and avoid offering the same programs. While the community college does offer transfer courses, most of the students take courses not available at senior colleges. While the vocational schools' programs are part of the community colleges' occupational programs, there are some occupational programs more highly technical and others that take less time which a community college will offer.

THE FINANCE AND CONTROL OF A COMMUNITY COLLEGE

Community colleges are cooperative local-state ventures. The local district provides the facilities through local taxes and runs the college through a locally elected board. The state provides the operating costs which are not covered by student fees or other college income and provides coordination and guidance through the State Board of Higher Education. The duties and powers of the State Board of Higher Education when acting as the State Community College Board are in Section 3 of Act 103 (page 17 of this handbook). Local control and the powers and duties of the local Board are in Section 4 of Act 103 (page 18 of this handbook). The financing of community colleges are in Section 6 of Act 103 (page 23 of this handbook).

STEPS IN THE ESTABLISHMENT OF A COMMUNITY COLLEGE IN ARKANSAS

1. A steering committee which is broadly representative of the people in the proposed district is formed and requests assistance from the Department of Higher Education. (See page 5.)

2. The steering committee forms the sub-committees which are needed and, with the help of the Department of Higher Education, sets about the following tasks:

   a) Determination of a proposed district

   b) Location of an acceptable site (or sites)

   c) Determination of the specific post-high school educational needs of the proposed district

   d) Development of a proposed curriculum for the community college

   e) Preparation of an estimated budget

   f) Determination of building and millage requirements

   g) Development and submission of an application for a community college. (See page 11.)

3. After receipt of the application, the State Board determines if the requirements of Act 103 of 1973 and the Criteria for the Establishment of a Community College District are met. (See pages 7 and 28.)

4. If more applications meet the legal requirements and the criteria than funds are available to support, the application(s) scoring highest on the factors for selection of a community college district(s) is (are) approved for elections. (See page 9.)

5. Petitions for an election signed by at least ten percent of the number of qualified electors voting for Governor in the last general election are presented to the Secretary of State.

6. After the petition has been certified by the Secretary of State, an election is called.

7. The election is held.

8. An initial local governing board is appointed by the Governor. The nine local board members draw for terms, three of which expire every two years. As the initial terms expire, the local board members are elected by the voters of the college district.

9. The local board organizes and selects officers.

10. A President is employed (See page 13) and the organization of the college is begun under the direction of the President and the local board. The amount of time required before the college can open depends on the time it takes to provide facilities, recruit a staff, etc. This time has varied from several months to two or three years.

ROLE OF THE LOCAL STEERING COMMITTEE

The local steering committee is extremely important in the establishment of a community college. The steering committee is responsible for the entire process of the development of the proposal, its approval by the State Board and the adoption of the necessary millage by the local citizens. The steering committee must be representative of the community college district since it represents the citizens in the development of the community college proposal. Further, the steering committee is the principal agent in the explanation of the community college proposal to the citizens.

The steering committee is a working organization. It usually has several subcommittees which perform the various tasks that must be done. It can be organized as seems best to the members. However, it is frequently large with several subcommittees and an executive committee made up of the subcommittee chairmen, the officers of the committee and any others that seem desirable.

The importance of the steering committee cannot be overstated. Perhaps its most important, difficult, and time-consuming task is informing the citizens about the community college. The community college concept gains ready support from most citizens who understand it. However, this is a new concept in Arkansas and it is often confused with traditional colleges, junior colleges, or vocational schools. The functions of the community college in providing different types of programs and serving citizens not now served is not automatically grasped. Thus, the steering committee must explain this new concept to most of the citizenry or the additional millage required is not likely to be approved.

The following is a list of tasks which the steering committee performs:

1. Provision of finances for operation of steering committee, costs of holding election, and informing the public

2. Provision of information to media about functioning of steering committee and the community college concept

3. Provision of speakers to speak with local groups about the community college proposal

4. Determination of the proposed district

5. Location of an acceptable site (or sites)

6. Determination of the specific post-high school educational needs of the proposed district.

7. Development of a proposed curriculum for the community college

8. Preparation of an estimated budget

9. Determination of building and millage requirements

10. Development and submission of an application for a community college

11. Printing of petitions and collection of signatures to call the election.

CRITERIA FOR THE ESTABLISHMENT OF A COMMUNITY COLLEGE DISTRICT ADOPTED BY THE STATE BOARD OF HIGHER EDUCATION, MAY 11, 1973

1. Presentation of Application

An application must be presented which proposes development of a feasible community college which will meet all the minimum criteria established by the Board of Higher Education under applicable laws. The application must contain the elements of an application as described in "Application for a New Community College" and any other State Board of Higher Education actions.

2. Number of Students

There shall be a minimum of 300 full-time student equivalents projected for the fall enrollment of the third year by one of the following techniques:

a) Twenty-five percent of the total current enrollment in grades 10, 11, and 12 of the school systems in the district

b) Twenty-five percent of the total current enrollment in grades 10, 11, and 12 of the Arkansas school systems located closer to the proposed community college than to any other college, but no more than 50 miles from the proposed community college

c) A proposed college near the lower limit by whatever technique is used should also demonstrate a history and an anticipation of continued population growth.

3. Site

A desirable site should be at least 40 acres plus five acres for each 100 full-time equivalent students projected five years in advance. The minimum site size will vary from proposed district to proposed district depending upon the programs to be offered, the terrain, the campus design, and site availability. In addition, the site should be the best possible combination of the following factors: accessibility to main arteries of traffic, closeness to greatest population concentration, closeness to center of district, accessibility to public and private transportation, visibility to general public, desirable topography for construction and aesthetics, cost, compact shape, desirable zoning, and availability of utilities, fire and police protection

4. Facilities

The college shall be provided an initial facility adequate for the projected enrollment in the third year, and it shall be demonstrated that adquate facilities can be provided for the projected enrollment in the fifth year. Either adequate facilities for the projected third year enrollment shall be available or funding shall be available, permanent facilities under development, and temporary facilities utilized when the college opens.

For a community college of less than 1,000 students, 105 gross square feet per full-time student of projected third year enrollment can be used for planning. The square footage needed will vary with the college curriculum and several other factors. More space than the 105 gross square foot planning factor is desirable, and less might be minimally adequate. The necessary square footage per student decreases slightly with greater enrollments.

The quality of facilities is also important, even though it is more difficult to specify minimum quality requirements. Great care should be taken, especially when existing facilities designed for another purpose are proposed as permanent facilities, that the facilities are of proper proportions in the various areas, aesthetically pleasing, comfortably heated and air-conditioned where necessary, properly equipped for laboratories, shops and offices, insulated for sound and otherwise appropriate for permanent use. The quality of permanent and temporary facilities will be considered in determining an adequacy of facilities.

5. Local Income

The anticipated local income for capital outlay must be sufficient to provide the site and campus required under the previous two criteria for at least the first five years that instruction is offered by the district. There should be millage or continuing local income which is sufficient to insure the district's financial soundness and justify desirable rates of interest on bonds.

6. Comprehensiveness of Curricula

The community college educational program must be comprehensive enough to serve the post-secondary educational needs of its district and the state through occupational programs of varying types and levels of difficulty, courses transferable toward a bachelor's degree, community service offerings, student guidance and counseling services, and any other needed post-secondary educational services. The community college may enter into cooperative relationships for programs to be offered through other institutions or through cooperative relationship with other institutions.

7. Meeting Community Needs

The community college proposal must meet the appropriate educational needs of its service area. Identification of educational needs and development of programs to serve them must evidence adequate reliance upon available data, and, where necessary, on surveys to secure data otherwise unavailable, as well as upon the involvement of citizens representing all geographic, economic and social segments of the proposed college district. Public understanding of and support for the community college must be developed through the involvement of the Steering Committee in the development of the proposal. The Steering Committee is very important in this respect, and great care should be taken to insure that its membership is representative of the proposed district so that the college will reflect the district's educational needs and so that the college can be interpreted to the citizenry through this committee.

8. Size of District

The size of the district shall be such that all students within the district are within commuting distance of the college. Commuting distance is defined as one hour's driving time under normal conditions or 50 miles, whichever is greater.

9. Efficient Use of State Resources

The efficient use of state funds will be considered in evaluating the need for any proposed district by the State Board of Higher Education.

SELECTION OF COMMUNITY COLLEGE DISTRICTS WHICH MAY HOLD ELECTIONS ADOPTED BY THE STATE BOARD OF HIGHER EDUCATION, MAY 11, 1973

There are three basic factors for selecting among proposed community college districts which all meet the minimum criteria:

1. The number of Arkansans to be served by each college

2. The availability of educational opportunities without the community college

3. The feasibility of the proposed community college.

The Number of Arkansans to be Served

The community colleges should be built to serve the most people. Comparisons based on this factor should include both the total population and the number of college-age citizens in the college's district or service areas. The State Board of Higher Education and the Advisory Commission on Community Colleges will be presented lists of the applications under consideration ranked by both population (1970 census) and by the number of college-age citizens (18-24 age group, 1970 census).

The Availability of Post-secondary Educational Opportunity

Comparisons based on this factor should include the distance to post-secondary educational institutions from the center of population of the proposed community college district and the degree to which citizens of the proposed district are enrolled in post-secondary educational institutions. The State Board of Higher Education and the Advisory Commission on Community Colleges will be presented lists of the applications under consideration ranked by both the number of miles to colleges from the population centers and by the 1970 college-going rates (percentage of 18-24 age group enrolled in colleges in Arkansas).

The Feasibility of the Community College

Comparisons based on this factor should include how well the proposed community college district meets or exceeds the criteria that have been set.

While ability to provide funding beyond adequacy should not be weighed too heavily, the desire for a community college as judged by the feasibility of the proposed college, public interest, and the functioning of the steering committee is important. The State Board of Higher Education and the Advisory Commission on Community College will be presented tables on all applications showing the Department of Higher Education staff's comparison of each application to each of the criteria and its analysis of the amount of public interest and the functioning of each steering committee.

APPLICATION FOR A NEW COMMUNITY COLLEGE
ADOPTED BY THE STATE BOARD OF HIGHER EDUCATION, JANUARY 12, 1973

I. Initial letter of application containing:

a) Intent to work for community college.

b) Will be able to meet all minimum criteria:

1) Number of students in grades 10, 11, and 12 in county.

or

Number of students in grades 10, 11, and 12 in Arkansas school systems located closer to the proposed community college than to any other college, but no more than 50 miles from the proposed community college.

2) 1960 and 1970 census population figures for county.

3) Number of miles by all-weather road to nearest public college, nearest private college, and nearest state vocational/technical school from population center of proposed district.

c) How a permanent site and facilities for 25 percent of the students in (1) above would be provided by the third year of operation and then expanded as the college grows and develops.

II. Feasibility study containing:

a) Analysis of existing post-secondary educational opportunities, utilization of existing post-secondary educational opportunities by district residents, and types of educational programs needed. This should include a review of existing institutions, a review of attendance rates by various types of district residents at various types of institutions, a survey of high school student plans and program needs, and a survey of business and industrial employment patterns and anticipated needs.

b) Projected enrollment. The enrollment for the proposed community college should be estimated and presented for each of the first five years that the college will operate.

c) Proposed curriculum. This should include a general plan for the development of specific occupational programs which are needed in the college's service area, the proposed areas of emphasis in transfer programs and the general plans for community service and counseling and guidance programs.

d) Availability of a site. This should include one or more specific sites which are definitely available and a detailed description of each site in terms of the factors mentioned in the site criteria.

e) Facilities. This should provide a detailed explanation of the plans for permanent and temporary facilities which are proposed in terms of the factors mentioned in the facilities criteria.

f) Local income. The plans for financing or providing the site and facilities should be explained. A millage, based on the projected costs of site and facilities and the assessed value of property in the district should be proposed. If any millage for operation to enrich the program of the college is expected, this should be explained.

g) Commuting distance. The distance from the proposed site(s) to the residents of the district most distant from the proposed college should be stated.

h) Proposed budget. An estimated budget for the first year of operation of the college, based on the projected enrollment and proposed curricula should be presented. Budgets should also be proposed for each year in which funds are needed before the college begins to operate.

i) Development plan. The general timetable for the development of the proposed community college should be given. Anticipated dates for all major activities from the circulation of the petition to the first day of class or the occupancy of the permanent facilities should be outlined.

REQUIRED MINIMUM QUALIFICATIONS FOR THE PRESIDENT OF A COMMUNITY COLLEGE ADOPTED BY THE STATE BOARD OF HIGHER EDUCATION, SEPTEMBER 22, 1973

The success of a community college is largely dependent upon the commitment, experience and ability of the chief administrative officer in operating a comprehensive institution responsive to the needs of its service area. The local board shall seek a person with the following minimum qualifications:

1. Commitment to the concept of a comprehensive community college

2. Experience with the comprehensive community college

3. An earned doctorate from a recognized university. (In unusual situations, at least five years of training and experience in a community college may be accepted in lieu of an earned doctorate.)

4. Experience in administration or management.

The local board shall consult with and have the advice of the State Community College Board in the selection and employment of the president.

CRITERIA FOR COMPREHENSIVENESS FOR COMMUNITY COLLEGES As Required by Act 103 of 1973, Section 3, Paragraph (i) ADOPTED BY THE STATE BOARD OF HIGHER EDUCATION, SEPTEMBER 22, 1973

1. The curriculum and services of the community college must be designed to serve the post-secondary educational needs of its district and the State of Arkansas. The curriculum must include occupational programs that do not require academic transfer courses for completion.

To identify the needs of its service area, the community shall do a comprehensive survey of its employment needs at least every five years. Either the comprehensive survey or special data shall be presented as evidence of the need for each new program proposed. Each existing occupational program must be reviewed at least once every five years to see that employment and need for additional graduates of the program continue.

2. Occupational programs of varying types and levels must be offered in the community college district either by the community college or by some other post-secondary institution. The type and level of each program shall be identified through the use of the following terminology regarding degrees and certificates granted for completion of programs:

a) Associate of Arts or Associate of Science Degree indicates a college level program primarily designed for transfer to a four-year degree program or for general education purposes

which requires as least four semesters for completion by the average full-time student. Each Associate of Arts or Associate of Science Degree Program shall contain an appropriate general education segment.

b) Associate of Applied Science Degree indicates a college level program primarily designed for occupational purposes and which requires at least four semesters for completion by the average full-time student. Each Associate of Applied Science Degree program shall contain a general education segment appropriate to the occupation for which the program is designed.

c) Certificate of Proficiency indicates a program of any level specifically designed for occupational purposes. A Certificate of Proficiency may be awarded in any occupational program which requires from one to four semesters for completion by the average full-time student. Each Certificate of Proficiency program may contain supporting subject matter which is necessary or helpful for the particular occupational program for which it is designed. A certificate of proficiency program shall not require the completion of academic transfer courses as general education courses.

3. The community college shall offer the first two years of baccalaureate degrees which are most common and appropriate in its service area. The Department of Higher Education, the community colleges and the upper level institutions to which community college graduates regularly transfer share the responsibility for coordinating transfer programs.

4. The community college shall offer developmental or remedial instruction which is needed locally to assist individuals who lack the skills required to enter any of the college's instructional programs.

5. The community college shall offer, as community service courses, any additional unit of instruction for which there is local need, available instructional personnel and adequate financial and physical resources.

6. The community college shall offer guidance and counseling services which include at least the following elements:

a) Adequate records and information resources on each student so that the college can advise the student on the services offered to the student which will fit the student's needs.

b) An organized professional system to assist each student in funding and taking the best advantage of the services the community college can offer.

c) An organized system for following the progress of each student so that the student can be assisted at difficult or decision points in his or her college experience.

d) An organized system to put the student in contact with the next step in his or her educational or occupational development.

e) Individual assistance to students in making career, program, course and employment decisions and assistance with personal problems not requiring more extensive services.

ACT 103 OF 1973
(As Amended by Act 263 of 1973)

"AN ACT TO AUTHORIZE THE ESTABLISHMENT OF COMMUNITY COLLEGES AS PROVIDED IN AMENDMENT 52 OF THE CONSTITUTION, ADOPTED AT THE NOVEMBER 1964 GENERAL ELECTION; TO PROVIDE THE METHOD OF ESTABLISHING COMMUNITY COLLEGE DISTRICTS; TO PROVIDE FOR THE SELECTION OF GOVERNING BOARDS THEREOF; TO PROVIDE FOR THE LEVY OF TAXES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

Section 1. Definitions as used in this Act:

(a) "Community College" means an educational institution established or to be established by one or more counties or cities of this State offering a comprehensive program designed to serve the post-secondary educational needs of its district and the State including specifically, but without limitation, occupational programs of varying types and levels of difficulty, the first two years of a baccalaureate degree, community service offerings, and student guidance and counseling services.

(b) "Capital outlay expense" means those funds devoted to or required for the acquisition and improvement of land; acquisition, construction, remodeling, alteration, addition or enlargement of buildings or other structures; and initial purchase of furniture, apparatus, and other equipment.

(c) "Operating expense" means those funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance and salary expenses, but excluding capital outlay expenses, student activity expenses, and expense for intercollegiate athletics.

(d) "District" means the geographic area included within one or more contiguous counties or cities, or any combination thereof, or any described contiguous area which may be in one or more counties or parts of counties, participating in or intending to participate in the establishment and maintenance of a Community College.

(e) "State Community College Board" means the State Board of Higher Education.

(f) "Local Board" means the governing body of a Community College established pursuant to the provisions of this Act.

Section 2. State Community Colleges-Establishment authorized-Tax limit. Pursuant to the authority granted by Amendment No. 52 of the Constitution of

the State of Arkansas, there is hereby authorized the establishment of Community College districts to be formed, financed and governed as hereinafter provided. The tax authorized to be levied under Amendment No. 52 shall not exceed ten (10) mills on the taxable real and personal property of the district. The millage approved by the electors shall be a continuing levy until reduced as provided herein.

Section 3. State Community College Board-Duties. The State Board of Higher Education is hereby authorized to, and shall, act as the statewide coordinating board for the Community Colleges established in conformity with this Act. When the State Board of Higher Education is acting as the "State Community College Board", the Director of the State Department of Education shall be an ex-officio non-voting member of such Board. The State Community College Board shall have the following duties and powers:

(a) It shall function as the coordinating agency between the Community Colleges, the public schools, Universities and State Colleges, and other educational institutions in Arkansas. In relation to the senior institutions of the State it shall work with them and the Community Colleges to develop the criteria for transfer of credits of students entering senior institutions from Community Colleges.

(b) It shall set forth the criteria in conformity with, but not limited to the provisions of the Act for the establishment of Community College Districts. In addition to the specific requirements set forth in this Act, the criteria shall provide for size and location of sites for the proposed Community College, nature and extent of the program, size and type of buildings required.

(c) It shall develop objective criteria for the determination of the requirements in Section 7 of this Act.

(d) It shall upon request of a citizens group develop a tentative budget to determine the annual cost of the operation.

(e) It shall act in an advisory capacity concerning changes and expansion of the overall program for Community Colleges and the program for each Community College.

(f) It shall establish the required minimum qualifications for the President of a Community College.

(g) It shall develop a uniform budget format and accounting and reporting procedures to be used by all Community Colleges.

(h) It shall, with the Joint Legislative Auditing Committee, determine that State funds are used in conformity with the grants of such funds.

(i) The State Community College Board shall develop criteria for determining if an institution is adequately comprehensive. The State Community College Board must make an annual determination (and may do so more often)

as to whether each Community College is adequately comprehensive or is becoming adequately comprehensive. If it is determined that any Community College is not adequately comprehensive and is not becoming adequately comprehensive, that institution shall not be eligible for State Funds until it has corrected the deficiencies and has received a favorable determination by the State Community College Board. In developing criteria to determine if an institution is adequately comprehensive, the State Community College Board shall require that each community college fulfill all aspects of the definition of a community college as contained in Section 1 (a) of this Act and shall specifically provide for occupational programs that do not require academic transfer courses for completion.

Section 4. Local control.

(a) The local control of each Community College shall be vested in a local Board composed of nine (9) members who are residents and qualified electors of the Community College District. The initial members of each local Board shall be appointed by the Governor with the advice and consent of the Senate, and such members shall draw for terms and position numbers. The terms of three (3) of such members shall expire on December 31, of the first even numbered year after such appointment; the terms of three (3) of such members shall expire on December 31, of the second even numbered year after such appointment; and, the terms of three (3) of such members shall expire on December 31 of the third even numbered year after such appointment.

All successor members shall be elected for terms of six (6) years by the qualified electors of the Community College District at the general election immediately preceding the expiration of the expiring terms, and the newly elected members shall take office on January 1 next following the date of their election. Vacancies on any local Board due to death, resignation or other causes shall be filled by appointment of the Governor. When the term of office in which the vacancy occurs expires on December 31 of the year in which the next general election is to be held, the person appointed by the Governor shall serve the remainder of the unexpired term. When the term of office in which the vacancy occurs extends beyond December 31 of the year in which the next general election is to be held, the person appointed by the Governor shall serve only until said general election at which election a person shall be elected by the qualified electors of the district to fill the remainder of the unexpired term. When a vacancy occurs, the local Board shall officially recognize that the vacancy exists, enter such recognition of the vacancy upon its minutes, and notify the Governor, requesting that he make an appointment to fill the vacancy as provided by law. The Governor shall officially notify the local Board of his appointment of the new member which the local Board shall enter upon its minutes.

Candidates for membership on the local Board shall run by position and shall be elected on a non-partisan basis, and there shall be no mark or designation on the ballot indicating the party affiliation of the candidates, and the names of the candidates for each position shall be arranged alphabetically on the ballot. Any person desiring to be a candidate for a position on the local Board shall, not less than forty-five (45) days prior to the general election at

which the position on the Board is to be filled, file a notarized statement of such candidacy with the County Board of Election Commissioners of each county of which any portion is in the Community College District, in substantially the following form:

State of Arkansas

County of _____

I, _____, being first duly sworn, state that I reside at_____; that I am a resident and qualified elector of_____Community College District; that I am a candidate for the office of Position No. ___ on the local Board of such Community College, and I hereby request that my name be placed on the ballot as a candidate for such position at the coming general election.

(Signed)_____

Subscribed and sworn to before me this_____day of_____, 19____.

(Signed)_____
Notary Public

At the time of filing such statement of candidacy, such candidate shall pay a ballot fee of $3.00, and shall file a petition containing the signatures of at least fifty (50) qualified electors of the District, requesting that the name of such person be placed on the ballot as a candidate for the position on the local Board.

The County Board of Election Commissioners of each county of which any portion is part of the Community College District shall certify the results of the election in that county to the local Board of the Community College. The local Board of the Community College shall officially canvas the returns, declare the candidate elected for each position, and make a record of the election upon its minutes.

The candidate receiving the highest number of votes for each position on the local Board to be filled at the election shall be elected to fill the particular position, and it shall not be necessary that the person elected receive a majority of all votes cast for all candidates for such position.

(b) The powers and duties of the local Board shall be as follows:

(1) To select its own Chairman and such other officers as it may deem desirable from among its own membership.

(2) To adopt and use a seal.

(3) To determine, with the advice of the State Community College Board, the educational program of the Community College.

(4) To appoint, with the advice of the State Community College Board, and fix compensation and term of office of a president of the Community College, who shall be executive officer for the local Board and for the Community College.

(5) To appoint, upon nomination of the president, members of the administrative and teaching staffs and to fix their compensation and terms of employment.

(6) Upon recommendation of the president, to appoint or employ such other officers of the Community College, agents and employees as may be required to carry out the provisions of this Act and to fix and determine their qualifications, duties, compensations, terms and conditions of employment.

(7) To grant diplomas and certificates.

(8) To enter into contracts.

(9) To accept from any government or governmental agency, or any other public or private body, or from any other source, grants or contributions of money or property which the local Board may use for or in aid of any of its purposes; and if acceptance of such a grant is conditioned upon the local Board obtaining interim financing from a local financial institution and if the grant makes a provision for the repayment of the interim load from the grant itself, then the local Board is authorized to contract for the required interim financing. Any such contracts for interim financing which may have been entered into in the past by local Boards are hereby ratified.

(10) To acquire, own, lease, use and operate property, whether real, personal or mixed, which is necessary for purposes of the Community College.

(11) To dispose of property owned by the Community College which is no longer necessary for purposes of the Community College upon such terms and conditions as shall meet the requirements for State agencies.

(12) To exercise the right of eminent domain to condemn property necessary for the use of the Community College. The procedure to be followed in the exercise of the right of eminent domain by a local Board shall be that prescribed for the Boards of Trustees of certain state colleges by Act No. 167 of the Acts of Arkansas 1961.

(13) To make rules and regulations not inconsistent with the provisions of this Act or with the rules and regulations of the State Community College Board as are necessary for the proper administration and operation of the Community College.

(14) To exercise all other powers not inconsistent with the provisions of this Act which may be reasonably necessary to the establishment, maintenance and operation of a Community College.

Section 5. Formation of Community College Districts.

(a) Upon request of a citizens group, representing a proposed Community College District, the State Community College Board shall assist in the study of such proposed District to determine whether its formation would meet the requirements of this Act and the criteria established by the State Community College Board for the formation of such District. As provided in Section 3 of this Act, the State Community College Board shall make all necessary studies, to determine the feasibility of the proposed District.

(b) Upon certification of the State Community College Board that the formation of the proposed District is feasible and would conform to the requirements of this Act, qualified electors of such proposed District may, by petition, have an election called to determine whether such District shall be formed.

(c) The petition calling for such an election shall be signed by not less than ten percent (10%) of the qualified electors of said District, based upon the total number of votes cast therein for all candidates for the office of the Governor in the last general election. Where there is more than one county or city in a proposed District, such petitions shall include signatures of not less than ten percent (10%) of the qualified electors of each such county or city and the aggregate of such signatures shall represent not less than ten percent (10%) of the qualified electors of the entire proposed District as determined by the total votes cast for all candidates for the office of Governor at the last general election in each such county or city. Signatures shall be separately required from a particular city only if the boundaries of the city are used to describe the District separate from the boundaries of the county or counties in which the city is located. The petitions calling for said special election shall describe the area of the proposed District, the proposed maximum rate of millage to be levied for the support of the District, if any, and the millage that may be pledged for bonded indebtedness purposes of the District. The petition shall be filed with the Secretary of State of Arkansas. Within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of such petitions, he shall notify the County Board of Election Commissioners of each county of which any portion is in the proposed Community College District that an election shall be held in the area described in the petition, as certified by the Secretary of State, to determine whether such District shall be formed. The date of such election shall be set by the Secretary of State at a time not less than thirty (30) days from the date of notification of the County Board of Election Commissioners.

(d) The ballot for the election shall state the purpose of the election giving the names of the county, counties, city or cities in the proposed District, the proposed rate of ad valorem tax to be voted upon, if any, and the purposes for which such tax shall be used, including the amount thereof which may be pledged for bonded indebtedness purposes. A city shall be listed separately only if the boundaries of the city are used to describe the District separate from the boundaries of the county or counties in which the city is located.

The form of the ballot may be as follows:

Vote FOR or AGAINST the establishment of a Community College District to be composed of _____. (This includes authorizing the levy of a tax not to exceed _____ mills on the dollar of the assessed value of the taxable property of the District (to be used for the support of such Community College) and authorizing the pledging of _____ mills of the aforementioned tax for the issuance of bonds to provide all or part of the funds for the construction and furnishing of buildings and facilities for such college.)

/___/ FOR the establishment of a Community College District.

/___/ AGAINST the establishment of a Community College District.

The material enclosed in brackets is inserted if a local tax is to be voted on and deleted if no local tax is to be voted on.

(e) The election shall be conducted by the County Board of Election Commissioners in the manner provided by law for special elections, and the ballots thereat shall be marked by each elector, and the returns thereof shall be tabulated, certified and reported as provided as law. If a majority of the qualified electors of the proposed District voting thereon at such election shall vote FOR the establishment of such District, the same shall be established in the manner provided in this Act. If a majority of the qualified electors of the proposed District voting thereon at such election shall vote AGAINST the establishment of such District, the same shall not be established and no new election for the establishment thereof shall be held for a period of one (1) year thereafter. Provided, that if the proposed District includes more than one county and/or city, the majority required for the purposes of this Act shall include not only a majority of the electors of the proposed District voting on such issue at the election but shall also include a majority of the electors voting on such issue in each county and/or city of the proposed District, or if the proposed District consists of described contiguous territory in one or more counties or cities, the major required for the purposes of this Act shall include not only a majority of the electors of the proposed District voting on such issue, but shall also include a majority of the electors voting on such issue in the portion of any county and/or city of the proposed described District. The vote in a particular city shall be considered separately only if the boundaries of the city are used to describe the district separate from the boundaries of the county or counties in which the city is located.

(f) If the election fails because of an adverse vote in one or more counties or cities in a proposed District of multiple counties or cities, a proposed reconstituted District eliminating the county, city, counties or cities which cast the adverse vote in an election may be called within ninety (90) days, provided the State Community College Board certifies that the proposed new District meets all of the criteria for such an election.

(g) The ad valorem tax levied by a District, or so much thereof as shall be necessary, shall be a continuing levy until reduced in the manner provided herein. Such tax shall be collected in the manner now provided by law for the collection of county general taxes and promptly remitted to the District.

(h) A Community College District may be dissolved or the millage tax voted reduced or repealed, with the exception of the millage required to service any outstanding bonds, upon approval thereof by a majority of the qualified electors of the District voting on the issue at an election called for such purpose. The question of dissolving the District or reducing or repealing the millage tax shall be submitted to the electors of the District at a special or general election upon petitions therefor, provided that the initiation of petitions calling for such and the procedures calling for such election shall be in accordance with the requirement set forth in paragraph (c) of this Section for the formation of the District.

(i) When it is proposed that a county or city join an existing Community College District, an election may be held in the proposed city or county to be added to determine whether the proposed reconstituted District shall be established after a petition requesting that the county or city be permitted to join the District has been signed by a committee broadly representative of the county or city to be added and approved by the local Board of the existing District. The procedures for an election to be held in the petitioning county or city to determine whether the proposed reconstituted District shall be formed, including the adoption of the millage tax for support of the Community College in effect in the existing District, shall be the same as required in establishing an original Community College District.

Section 6. Financing Community Colleges.

(a) General Operations. Funds for the general operation of an adequate comprehensive educational program shall be provided by the State. Prior to the beginning of each biennium the local Board of each Community College shall develop an estimate of budget requirements for operation of the Community College for each year of the biennium and shall submit it to the State Community College Board for review. The estimate of budget requirements shall include both expected expenditures and incomes. Based on the estimates submitted by the Community Colleges and estimates of funds required for additional institutions that may be created during the ensuing biennium, the State Community College Board shall recommend to the General Assembly and the Governor its estimate of funds necessary to support existing Community Colleges and ones that may be established.

Prior to the beginning of each fiscal year, the State Community College Board shall review the proposed operating budget of each Community College and after making such revisions, if any, as it shall deem necessary shall approve a budget for each Community College, and shall propose the amount of State revenues to be provided for the support of each Community College. The amount of State revenues to be provided for the general operation of each Community College shall be the difference between the approved budget and the total of all income for general operation, including student fees, federal funds and any other income except local taxes. The approved budget for general operations shall be sufficient to provide an adequate comprehensive educational program which serves the needs of the State and the Community College's service area as determined by the State Community College Board.

In the event that State funding is inadequate to meet the budgets approved by the State Community College Board, the reduction in State funds will be shared proportionately by all Community Colleges in the same proportion that the approved operating budget of each Community College bears to the total of the approved operating budgets of all Community Colleges.

In the event the local Board of a Community College wishes to spend larger sums of money for general operation of the Community College for whatever reason or reasons consistent with the State law, it shall be lawful for millage to be levied from time to time to provide additional operation funds. Such millage can be approved at the election to create the Community College District and/or the question of approving the millage can be submitted to the voters of the District from time to time thereafter at special or general elections.

The local Board of each Community College shall certify, within the time provided by law, to the appropriate tax levying authority of each county or city of the District the aggregate millage to be levied for the District for operating purposes and indebtedness purposes, and the same shall be levied and collected in the manner provided by law. If the amount of such budget to be supported from taxes levied by the District shall be in excess of the amount to be produced from taxes then authorized for the District, after allowing for tax proceeds pledged for indebtedness purposes, the local Board of the Community College shall certify the additional millage required to the County Board of Election Commissioners of each county of which any portion is in the Community College District, provided that such millage together with the rate then levied does not exceed ten (10) mills, and the question of the levy thereof shall be placed on the ballot at the next following general election or a special election called for that purpose as determined by the local Board.

When the local Board of a Community College shall determine that the question of a tax levy in the District should be submitted to the electors of the District at a special election, it shall adopt a resolution to that effect and shall file a certified copy thereof with the County Board of Election Commissioners of each county of which any portion is in the District that a special election shall be held in the District and shall set the date of the election which shall be not less than thirty (30) days nor more than sixty (60) days after the date of the notice to the County Boards of Election Commissioners. The County Board of Election Commissioners in each county of which any portion is included in a Community College District shall prepare the ballots, furnish the election supplies, select the election judges and clerks, and make all necessary arrangements for conducting such elections. All laws applicable to the conduct of general elections, counting of ballots and certification of the results thereof, and other matters relating to the holding of general elections, so far as the same are appropriate, shall be applicable to special elections held pursuant to the provisions of this Act shall be paid from funds of the respective Community College Districts in which the elections are held.

If the proposed additional millage shall be approved by the majority of the qualified electors of the District voting on such issue at a general or special election, the same shall be a continuing levy until reduced as provided herein.

Whenever the local Board of any college shall determine that the rate of tax levied by the District, including the amount thereof pledged for indebtedness purposes, is greater than is necessary, the local Board shall certify the reduced rate of millage to the appropriate tax levying authority of each county or city of the District, and the reduced rate of millage shall be levied and shall be extended on the tax books as the rate of tax due such Community College District until a greater amount of tax shall be certified by the local Board of such college as authorized herein.

In the case of Community College Districts existing at the time this law is enacted, existing millages which have been approved by the voters of the District may continue to be levied by the District at the discretion of the local Board except that upon the petition of voters, as provided in Section 5, or upon request of the local Board, an election may be called to repeal operating millage, reduce operating millage, or authorize the transfer of operating millage to capital uses.

(b) Capital Outlay.

(1) Each Community College District shall be responsible for all capital costs of the District, including the acquisition of lands, the constructing, renovating, and repairing of buildings, and facilities thereon and therein and the acquisition and installation of initial equipment. Replacement of initial equipment shall be considered as an operating cost. For the purposes of financing the cost of acquiring lands, constructing improvements, buildings and facilities thereon and therein and acquiring and installing initial equipment, providing for interest on bonds during construction and for not to exceed six (6) months thereafter, and providing for the expenses of issuing bonds, the District is hereby authorized and empowered to issue bonds from time to time. The bonds shall be authorized by Resolution of the local Board. The bonds may be coupon bonds, payable to bearer, or may be registrable as to principal and interest; the bonds may be in such form and denominations; the bonds may have such date or dates; the bonds may mature at such time or times, not exceeding thirty (30) years from date; the bonds may bear interest payable on such dates and at such rate or rates, provided that no bonds may bear interest at a rate exceeding eight percent (8%) per annum; the bonds may be payable at such place or places within or without the State of Arkansas; the bonds may be subject to such terms of redemption in advance of maturity at such prices, including such premiums; and the bonds may contain such terms and provisions, all as the local Board shall specify in the authorizing Resolution. The authorizing Resolution may contain such terms, covenants and conditions that are deemed desirable by the local Board, including, without limitation, provisions authorizing the issuance of bonds in series from time to time, those pertaining to the custody and application of bond proceeds, those pertaining to the maintenance of various funds and reserves, those pertaining to the collection, depositing, securing and disbursing of tax proceeds and other revenues, those pertaining to the nature and extent of the security, and those pertaining to the rights, duties and obligations of the District, the Trustee and the holders and registered owners of the bonds. The authorizing Resolution may provide for the execution by the local Board with a bank or trust company within or without the State of Arkansas of a Trust Indenture.

The Trust Indenture may contain such terms, covenants and conditions that are deemed desirable by the local Board, including, without limitation, provisions authorizing the issuance of bonds in series from time to time, those pertaining to the custody and application of bond proceeds, those pertaining to the maintenance of various funds and reserves, those pertaining to the collection, depositing, securing and disbursing of tax proceeds and other revenues, those pertaining to the nature and extent of the security, and those pertaining to the rights, duties and obligations of the District, the Trustee and the holders and registered owners of the bonds.

(2) All bonds issued hereunder shall be sold at public sale on sealed bids. Notice of the sale shall be published once a week for three (3) consecutive weeks in a newspaper published in the City of Little Rock, Arkansas, and having a general circulation throughout the State of Arkansas, with the first publication to be at least twenty (20) days prior to the date of sale. Bonds may be sold at such price as the District may accept, but in no event shall any bid be accepted which shall be less than par and accrued interest on the basis of the interest rate or rates bid, nor shall any bid be accepted which specifies an interest rate in excess of eight percent (8%) per annum. The award, if made, shall be to the bidder whose bid results in the lowest net interest cost determined by computing the aggregate interest cost at the rate or rates bid and deducting therefrom any premium bid.

(3) The payment of the principal of and interest on bonds issued hereunder may be secured by a pledge of, and the District may use for that purpose, all or any part, of the following, as the District shall determine:

(i) A continuing annual tax, when voted by the electors, which shall not be reduced until the principal of, interest on and paying agent's fees in connection with the bonds, to the payment of which the continuing annual tax is pledged, have been paid or provided for; provided, the District may use any surplus proceeds of the continuing annual tax each fiscal year (being proceeds from collections of the continuing annual tax in excess of the amounts necessary to insure the payment when due of the principal of, interest on and paying agent's fees in connection with the bonds to which the continuing annual tax is pledged and the creation and maintenance of any reserve funds, the Distrist may determine to establish), for the redemption of bonds prior to maturity or for the payment of principal of, interest on and paying agent's fees in connection with other bonds of the District, or may transfer such surplus to the operating fund of the Distrist, all as the local Board of the District shall determine and specify in the resolution authorizing the issuance of bonds to the payment of which the continuing annual tax is pledged; or

(ii) All or any part of revenues derived from any auxiliary enterprise, such as dining facilities, athletic events or other revenue-producing activities now or hereafter authorized by law, and all or any part of revenues derived from activity fees, to the extent and with the priorities determined by the local Board of the District and specified in the resolution authorizing the issuance of the bonds; provided, the District may use any surplus of such revenues each fiscal year (being such revenues in excess of the amounts necessary to insure the

payment when due of the principal of, interest on and paying agent's fees in connection with the bonds to which such revenues are pledged and the creation and maintenance of any reserve funds the District may determine to establish) for redemption of bonds prior to maturity or for the payment of the principal of, interest on and paying agent's fees in connection with other bonds of the District, or may transfer such surplus to the operating fund of the District, all as the local Board of the District shall determine and specify in the resolution authorizing the issuance of the bonds to which such revenues are pledged; or

(iii) Any funds received from the United State of America, or any department or agency thereof, pursuant to any act of Congress, heretofore or hereafter enacted providing for grants or payments to educational institutions in connection with, or in anywise pertaining to, the financing of acquiring lands and constructing and equipping buildings and improvements thereon.

In regard to the funds referred to in (iii) above, the District is hereby authorized to take such action, comply with such terms and conditions and execute such agreements as may be necessary to apply for, receive, pledge and/or use such funds for the above specified or any other lawful purpose.

If bonds are secured by a pledge of the proceeds of a continuing annual tax, as specified in (i) above the continuing annual tax must have been approved by the electors of the District prior to the issuance of the bonds, but if such approval has been obtained, the bonds shall be issued by resolution of the local Board. If bonds are not secured by a continuing annual tax but are secured by revenues as set forth in (ii) above or by funds as set forth in (iii) above, it shall not be necessary for the issuance of the bonds to have been submitted to or approved by the electors of the District and bonds so secured by revenues alone need only be authorized by resolution of the local Board of the District.

(4) Bonds shall be executed by the manual or facsimile signature of the Chairman of the local Board and by the manual signature of the Secretary of the local Board. Coupons attached to the bonds shall be executed by the facsimile signature of the Chairman of the local Board. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be an officer before the delivery date of the bonds and coupons, his signature shall nevertheless be valid and sufficient for all purposes. The seal of the District shall be affixed or imprinted upon the bonds.

(5) Bonds may be issued for the purpose of refunding any bonds issued under the provisions of this Act. Any refunding bonds shall enjoy the same security for their payment as was enjoyed by the bonds being refunded, including particularly, and without limitation, any continuing annual tax voted and pledged to the payment of bonds being refunded and any additional security enjoyed by the bonds being refunded pursuant to the authority set forth in this Act. Refunding bonds shall be sold at public sale on sealed bids in accordance with the provisions of this Act pertaining to the sale of bonds authorized hereunder. Refunding bonds may be issued upon the authority of a resolution of the local Board, with the approval of the State Community College Board, without the necessity of submitting the question of issuing the refunding bonds to the electors of the

District provided the refunding bonds are secured solely by a pledge of revenues other than proceeds of a continuing annual tax or if they are secured by the proceeds of a continuing annual tax, the following conditions are met:

(i) The last maturity date of the refunding bonds is not later than the last maturity date of the bonds being refunded, and

(ii) The refunding bonds do not bear a greater rate or rates of interest than the bonds being refunded, and

(iii) The total amount required to pay principal and interest on the refunding bonds as the same become due must be less than the total amount required to pay principal and interest of the bonds being refunded as the same become due.

(6) Before any bonds are issued by a local Board, it shall furnish the State Community College Board with a copy of its proposal to issue the bonds, including a copy of the authorizing Resolution or Trust Indenture and receive a certificate from the State Community College Board approving the proposal.

Section 7. Minimum requirements for establishment of a Community College District. Prior to the calling of an election for the establishment of a Community College District the State Community College Board must certify that the proposed college will meet the following requirements:

(a) Site: That a site which meets the criteria established by the State Community College Board is available.

(b) Students: That by objective analysis and projection the full-time student equivalent would be a minimum of 300 at the fall enrollment of the third year of operation.

(c) Local Income: That the assessment for ad valorem tax purposes of the proposed District, as published by the Assessment Coordination Division of the Public Service Commission, at the millage rate proposed would produce sufficient income for the District to discharge its financial obligation as required in the Act. Provided that a District may be created without a local millage by following all applicable provisions of the law if it shall be demonstrated to the State Community College Board that all capital costs of the District required to provide an adequate comprehensive program will be met without local millage, at least during the first five (5) years that instruction is offered by the District, through available existing facilities, contributions already secured or committed to the satisfaction of the State Community College Board, establishment of a permanent endowment fund or through any other method or any combination of methods.

(d) Size of District: The size of the District shall be such that all students within the District are within commuting distance of the college.

Section 8. Student Fees.

(a) Tuition. The intent of this Act is to make Community College programs available to as many citizens of Arkansas as possible. To this end, tuition and fees should be maintained at a reasonable level so as not to exclude citizens because of cost. The State Community College Board shall determine a minimum level of any tuition or fees. The local Board shall have the authority to determine any fees above this minimum level. The student fees, or tuition, authorized in this Act shall be used for educational purposes only.

(b) Activity Fees. To provide for a student activity program at the college, the local Board may levy a student activity fee not to exceed a level approved by the State Community College Board.

(c) Out-of-District Tuition. Students who come from within the State but without the District may be charged a fee in addition to the fee charged students who are residents of the District as determined by the local Board not to exceed the pro rata share of the per student cost annually paid for buildings from local tax revenues. Provided, when one or more residents of a county not in a Community College District attend a Community College, the county of residence of such students may, when funds are appropriated therefore by the Quorum Court of the County, pay the tuition of such students in excess of the tuition charged in-district students. Out-of-state students may be charged a fee in addition to the fee charged students who are residents of the District in the amount determined by the local Board and approved by the State Community College Board.

(d) Special Fees. The local Board of each Community College may levy special fees for special programs, short courses, seminars or like activities at a level to defray the cost of such special activities.

Section 9. Limitations.

(a) No tax shall ever be levied or collected for the construction of dormitories, nor shall any Community College construct, maintain or operate any dormitory for the housing of students.

(b) Participation of Community Colleges in intercollegiate athletic programs shall be limited to basketball and spring sports.

Section 10. Agreements for sharing of facilities, personnel and services authorized. Community Colleges established under the authority of Amendment No. 52 to the Constitution of the State of Arkansas, and the laws enacted pursuant thereto, are hereby authorized, upon application, review and approval thereof by the State Community College Board, to enter into agreements with any post-secondary educational institution, or with agencies or institutions of this State, or of any city or county, or of the federal government, for the sharing of facilities, personnel or services, or the providing and furnishing of services, for such duration and under such conditions and financial arrangements therefor as are not inconsistent with the purposes for which such Community Colleges are established.

In addition to the powers enumerated herein it is the specific intention of this Act to authorize Community Colleges, upon application, review and approval by the State Community College Board, to enter into agreements with the State Board of Vocational Education for the sharing of facilities, personnel and services of vocational-technical schools of this State whereby, at a single location community college instruction, including vocational-technical training may be offered. Such agreements shall include means of financing the sharing of such facilities, personnel or services, provided that the Community College and the Vocational-Technical School shall each receive financial support in the manner provided by law.

Section 11. Agreements with agencies of state, federal government and political sub-division authorized. In furtherance of the purposes of this Act and in addition to the powers and duties vested in the State Community College Board, said Board shall have authority to make agreements with agencies of this State, the federal government, political sub-divisions of this State, and their institutions and agencies, not inconsistent with the Constitution and laws of the State of Arkansas, where such agreements are to the advantage of the State of Arkansas in the furtherance of the State Community College program as authorized by law.

All Federal and other funds provided to the State for support of Community Colleges and vocational-technical education in Community Colleges shall be administered by the State Community College Board. In the event there are legal requirements that such funds be granted to another agency of the State, such other agency shall contract with the State Community College Board for the administration of the funds under the appropriate conditions.

Section 12. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict. Act 560 of 1965 General Assembly, Acts 404 and 140 of the 1967 General Assembly and all amendments to these aforementioned Acts are hereby specifically repealed. Provided, however, all Community Colleges, Districts and local Boards in existence on the date this Act becomes effective shall continue in full force and effect as though created hereunder.

Section 13. The provisions of this Act are hereby declared to be severable. If any provision should be held to be invalid or to be inapplicable to any person or circumstance, such holding shall not affect the validity or applicability of the remainder hereof.

Section 14. It has been found and is hereby determined by the General Assembly that Community Colleges are necessary for the education and development of the citizens of the State of Arkansas and that additional such colleges are not likely to be established without the immediate effect of this Act. Further delay would possibly deprive many citizens of Community College educations. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval.

ARKANSAS CONSTITUTIONAL AMENDMENT NO. 52

SECTION 1. The General Assembly may by law provide for the establishment of districts for the purpose of providing community college instruction and technical training. The General Assembly shall prescribe the method of financing such community college and technical institutes, and may authorize the levy of a tax upon the taxable property in such district for the acquisition, construction, reconstruction, repair, expansion, operation and maintenance of facilities therefor.

SECTION 2. No such district shall be created and no such tax shall be levied upon the property in an established district except upon approval of a majority of the qualified electors of such proposed or established district voting thereon. Provided that any millage so approved by the electors of a district shall be a continuing levy until increased, reduced or repealed in such manner as may be provided by law, providing they shall ever remain a community college and shall never be extended into four-year institutions.

UNIVERSITY OF CALIF.
LOS ANGELES

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